



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NON-PROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf Colorado State University Research Foundation, a non-profit organization with a place of business at 601 So. Howes, Fort Collins, Colorado 80521.

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))
☐ NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(STATE _____); (CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(STATE _____); (CITATION OF STATUTE _____)

I hereby declare that Colorado State University Research Foundation qualifies as a non-profit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the patents and patent applications listed on attached Appendix A.

I hereby declare that rights under contract or law have been conveyed to and remain with the non-profit organization with regard to the above-identified invention.

If the rights held by the non-profit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME Heska Corporation

ADDRESS 1613 Prospect Parkway, Ft. Collins, Colorado 80525

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

COLORADO STATE UNIVERSITY
RESEARCH FOUNDATION

Date: August 10 2000

By: Arundeepr S. Pradhan

Arundeepr S. Pradhan
Director of Technology Transfer
601 So. Howes
Fort Collins, Colorado 80521



APPENDIX A

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Serial No.	Filing Date	Patent No.	Issue Date	Title	Attorney File No.
08/109391	08/19/1993	5639876	06/17/1997	Nucleic Acid Molecules Encoding Novel Parasitic Helminth Proteins	2618-13
08/459019	06/02/1995	5686080	11/11/1997	Parasitic Helminth P4 Proteins	2618-13-1
08/458860	06/02/1995	6100390	08/08/2000	Novel Parasitic-Helminth P22U Nucleic Acid Molecules	2618-13-2
08/460428	06/02/1995	5912337	06/15/1999	Parasitic Helminth P22U Proteins	2618-13-3
09/196447	11/19/1998			Filarid Anti-P22U Antibodies	2618-13-3-1
08/408120	03/20/1995	5804200	09/08/1998	Parasitic Nematode Proteins and Vaccines	2618-31
08/473034	06/06/1995			Novel Parasitic Helminth P39 Proteins, Nucleic Acid Molecules, and Uses Thereof	2618-34
08/487031	06/06/1995	5977306	11/02/1999	Novel Parasitic Helminth P39 Proteins, and Uses Thereof	2618-34-1
08/482304	06/07/1995	6060281	05/09/2000	Parasitic Helminth PLA2 Proteins and Nucleic Acid Molecules	2618-36
08/483474	06/07/1995	6099843	08/08/2000	Novel Parasitic Helminth PLA2 Proteins and Nucleic Acid Molecules	2618-36-1
09/391270	09/07/1999			Novel Parasitic Helminth PLA2 Proteins and Nucleic Acid Molecules	2618-36-2



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am an official empowered to act on behalf of Heska Corporation, a small business concern with a principal place of business at 1613 Prospect Parkway, Ft. Collins, Colorado 80525.

I hereby declare that Heska Corporation qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the patents and patent applications listed on attached Appendix A.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME Colorado State University Research Foundation

ADDRESS 601 So. Howes, Fort Collins, Colorado 80521

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☐ SMALL BUSINESS CONCERN

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

HESKA CORPORATION

Signed: Carol Talkington Verser

Name: Carol Talkington Verser, Ph.D.

Title: Vice President, Intellectual Property
and Business Development

Date: 23 August 2000

APPENDIX A

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